

REMARKS/ARGUMENTS

Claims 3 and 37-45 are currently pending in this application.

Double Patenting Rejection

Claims 3 and 37-45 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 36, 55, 74, 94, 121, 139, and 146 of U.S. Patent No. 10/764,196. A Terminal Disclaimer is submitted herewith to overcome the obviousness-type double patenting rejection. The withdrawal of the obviousness-type double patenting rejection is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

Applicant: Gorsuch et al.
Application No.: 10/776,424

In view of the foregoing remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Gorsuch et al.

By /John C. Donch Jr./
John C. Donch Jr
Registration No. 43,593

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

JCD/klw
Enclosure